

AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 19, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-13535 - APPLICANT: NEVADA POWER COMPANY -
OWNER: KYLE ACQUISITION GROUP, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-13536) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/08/06, except as amended by conditions herein.
4. A Waiver from the maximum wall height requirement as stipulated in Title 19.08.050.D is hereby approved, to allow a 14-foot high perimeter wall where eight feet is the maximum wall height allowed. The wall elevations shall be redesigned and resubmitted to the Planning and Development Department to depict at least 20% contrasting materials as stipulated in the Zoning Code.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. Any on-site security lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. No right-of-way dedication will be accepted at this time and no dedications shown on this Site Development Plan Review will be entitled. Approval of this site plan by the City Council does not guarantee that the right-of-way location and width as shown will be accepted for dedication by the City of Las Vegas. Provide a comprehensive access plan depicting proposed right-of-way adjacent to this site and connecting this site to the nearest public street right-of-way prior to the issuance of any permits (unless right-of-way has been previously dedicated). This comprehensive plan must be approved the City Engineer; all right-of-way or easements adjacent to this site and required to gain legal access to this site from the nearest existing right-of-way shall be dedicated and/or granted prior to the issuance of any permits.
11. Construct half-street improvements, including appropriate overpaving if legally able, at a location approved by the City Engineer through a "comprehensive access plan", adjacent to this site concurrent with development of this site or in accordance with the adjacent master plan development construction schedule approved by the City Engineer. In addition, provide a minimum of two lanes of paved, legal access to this site that connects to existing constructed public street right-of-way concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of permanent hard surfacing (asphalt or concrete).
12. Prior to the submittal of construction drawings provide a plan depicting the power pole route, including easement widths, from the nearest existing power pole and/or facility to the substation proposed with this Site Plan.
13. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site concurrent with construction of public roadway improvements.
14. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the public rights-of-way adjacent to this site prior to occupancy of this site.

15. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
16. Applicant shall coordinate with adjacent developments and City of Las Vegas on locations of proposed roadway intersections and streetlight locations for power pole placement. Sight visibility shall be maintained at all intersections. Applicant shall design clearance between power lines with proposed street lights, traffic signal luminaries, and traffic signal mast arms as set forth by the National Electrical Safety Code section on clearance requirements for construction and maintenance. Clearances shall be designed without deviation from standards heights as set forth as per CCA USD 301, 302, 303, 304, 305, 306, 307, 404.406, 404.412. Proposed poles centerline offsets shall take into account proposed Clark County Standard Drawings 201.1 and 234.1 at intersections of 100-foot rights-of-way with 100-foot and 80-foot rights-of-way. Applicant shall design proposed pole foundation to avoid conflicts with future traffic signal infrastructure and equipment.

Conflicting powerlines and poles shall be corrected by Nevada Power Company at the direction of the City of Las Vegas Public Works Director within a time frame determined by the City of Las Vegas Public Works Director. The City Traffic Engineer shall approve the location of proposed power poles and power line height clearances shown on the construction plans prior to final approval. The City Traffic Engineer shall approve the location of proposed power poles and power line height clearances shown on the construction plans prior to final approval. Powerlines and power poles constructed as part of the Gateway Substation project that conflict with City approved construction plans shall be corrected by Nevada Power Company at the direction of the City of Las Vegas Public Works Director within a time frame determined by the City of Las Vegas Public Works Director.

**** STAFF REPORT ****

APPLICATION REQUEST

This is a request for a Site Development Plan Review for a proposed Electric Utility Substation within the Kyle Canyon Master Development Plan community on 4.09 acres approximately 560 feet west of Hualapai Way and 890 feet north of Grand Teton Drive. A companion Special Use Permit (SUP-13536) will be reviewed concurrently.

EXECUTIVE SUMMARY

The proposed Electric Utility Substation will be located in accordance with Map 11 of the Centennial Hills Sector Plan's approved substation locations, based on recent General Plan Amendment (GPA-12339), which relocated the proposed facility from the northeast corner of Hualapai Way and Grand Teton Drive to its present location. The site is located to the north of Grand Canyon Drive and is surrounded by land that will be developed as part of the proposed future Kyle Canyon community. The site is located in a completely rural area at this point; however, this area will be developed for a blend of residential and commercial uses in the future, pursuant to the master development plan currently being prepared for the Kyle Canyon area.

The Electric Utility Substation will contain equipment that is 22 feet in height; however the applicant has requested a waiver to allow a 14-foot high block wall where 8 feet is the maximum height allowed to help screen the majority of the equipment. Perimeter landscaping in excess of the minimum standards of Title 19 is proposed to surround the site. Given the proposal conforms to the Centennial Hills Sector Plan, the waiver request and the site plan review are recommended for approval.

BACKGROUND INFORMATION

A) Related Actions

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|----------|---|
| 01/03/01 | The City Council approved a petition (A-0019-99) to annex property generally located on the northwest corner of Hualapai Way and Grand Teton Road containing 667 acres of land. |
| 05/19/04 | The City Council approved a request to amend a portion of Map 10 of the General Plan (GPA-4044) to realign power line corridors within the Cliff's Edge Master Development Plan area. The realignment placed power lines on the north side of Grand Teton Drive, within the Kyle Canyon area and within the overall subject parcel. The Planning Commission and staff recommended approval on 04/22/04. |

- 12/01/04 The City Council approved a request to amend the Master Plan Recreation and Transportation Trail Elements (GPA-5157) to redesignate portions of proposed alignments in developed areas as pedestrian paths. The Planning Commission and staff recommended approval on 10/21/04.
- 01/05/05 The City Council approved a request to adopt the Northwest Open Space Plan as an Element of the 2020 Master Plan (DIR-5543) for property generally located north of Cheyenne Avenue, west of Decatur Boulevard, and east of Puli Drive. The Planning Commission and staff recommended approval on 12/02/04.
- 01/18/06 The City Council approved a request (GPA-9167) to amend a portion of the Centennial Hills Sector Plan of the Master Plan from SC (Service Commercial), PCD (Planned Community Development) and PF (Public Facilities), to TND (Traditional Neighborhood Development) on 1,712 acres generally located north of Grand Teton Drive, between Puli Road and Fort Apache Road. The Planning Commission and staff recommended approval on 10/20/05.
- 06/07/06 The City Council approved a request (GPA-12339) to amend Map Eleven of the Centennial Hills Sector Plan to allow the relocation of an approved Electric Utility Substation from the northeast corner of Hualapai Way and Grand Teton Drive to a site north and west of the approved location; and for the addition of transmission lines related to the proposed relocation of the proposed substation. The Planning Commission and staff recommended approval on 04/27/06.
- 06/22/06 The Planning Commission recommended approval of companion item SUP-13536 concurrently with this application.
- 06/22/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #30/gl).

B) Pre-Application Meeting

- 05/01/06 Matters pertaining to the details of site plan review and special use permit submissions were discussed, as well as city requirements relating to public and private streets.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, and none was held.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 667.04
 Net Acres: 2.83

B) *Existing Land Use*

Subject Property: Undeveloped
 North: Undeveloped
 South: Undeveloped (Providence area under construction)
 East: Undeveloped
 West: Undeveloped

C) *Planned Land Use*

Subject Property: TND (Traditional Neighborhood Development)
 North: PCD (Planned Community Development)
 South: PCD (Planned Community Development)
 East: TND (Traditional Neighborhood Development)
 West: RC (Resource Conservation)

D) *Existing Zoning*

Subject Property: U (Undeveloped) [TND (Traditional Neighborhood Development) Master Plan Designation]
 North: U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation]
 South: PD (Planned Development)
 East: R-E (Residence Estates)
 West: Clark County

E) *General Plan Compliance*

The subject site is located within the Centennial Hills Sector of the Master Plan. The site is designated as TND (Traditional Neighborhood Development), which allows for the current zoning of the site, which is U (Undeveloped). The U (Undeveloped) zoning district allows for utility installations of the type proposed through this application, subject to the approval of a Special Use Permit. A companion request for such a Special Use Permit (SUP-13536) has been requested by the applicant.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
<i>Kyle Canyon</i>	<i>X</i>	
Special Overlay District		X
Trails		X
Rural Preservation Overlay District		X
Development Impact Notification Assessment		X
Project of Regional Significance	X	

Kyle Canyon Master Development Plan

The subject site will be located within the area which is the subject of the future Kyle Canyon Master Development Plan. While this Plan is not yet approved, considerable work has been done in the preliminary development of land use and design concepts for this area, in which a host of new urbanist methods and the use of traditional urban design will be employed to a significant extent.

The proposed Electric Utility Substation needs to be developed early in the process, and in fact prior to approval of a definite land use pattern, due to the lead time needed to bring electrical facilities in to service this area. The location of the site is a “best fit” with the probable road network at this time, and the final layout of the area will incorporate the substation location in an appropriate manner.

PROJECT DESCRIPTION

The proposed project is an Electric Utility Substation on an approximately 2.8-acre site. The location of the Electric Utility Substation has already been approved by the Planning Commission and City Council via GPA-12339 as part of Map 11 in the Centennial Hills Sector Plan. Nevada Power now seeks to move forward with the permitting and construction of the substation and has submitted for a Special Use Permit and this Site Development Plan Review. The substation will be enclosed with a proposed 14-foot decorative block wall and with perimeter landscaping. The wall exceeds maximum height standards; therefore a waiver request is associated with the application.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the subject proposal:

Standards	Required (U District)	Provided	Compliance
Min. Lot Size	20,000 S.F.	2.83 Acres	Y
Min. Lot Width	100 Feet	347 Feet	Y
Min. Setbacks • Front • Side • Corner • Rear	50 Feet 10 Feet 15 Feet 35 Feet	No buildings proposed	N/A
Max. Lot Coverage	N/A	No buildings proposed	N/A
Max. Building Height	2 Stories/35 Feet	No buildings proposed	N/A
Trash Enclosure	Walled, gated, covered when in conjunction with development	No trash enclosure proposed	N/A
Loading Zone	N/A	No loading zone proposed	N/A
Mech. Equipment	Screened	Screened	Y

The application is subject to the development standards contained in Title 19; however, as no buildings are proposed as part of the Electric Utility Substation, standards such as setbacks do not apply. Mechanical equipment will be screened by a proposed 14-foot decorative block wall and perimeter landscaping.

A2) Residential Adjacency Standards

Residential adjacency standards do not apply to this proposal.

A3) Parking and Traffic Standards

Title 19.10 does not contain any Parking Standards for Electric Utility Substations as the facility is not open to the public and contains only equipment. No buildings are part of the application request. Nevada Power personnel will park within the facility or on the paved driveways outside the access gate when visiting the site.

The Department of Public Works has agreed to move forward with a Site Development Plan Review for an Electric Utility Substation within the Kyle Canyon development area based on the expressed need to have the necessary electrical infrastructure in place, or at least entitled, so that power service will be available to this area when development occurs. However, the Department has determined that, at this time, it cannot accept the right-of-way dedications proposed as part of these applications. The streets shown on the site plan are not on the City's Master Plan of Streets and Highways nor have they been identified through an approved development agreement by the City Council. In addition, there are no

government patent easements or other legal access alignments that would tie into these proposed streets. This creates a situation where public right-of-way would exist that does not connect to other public streets; therefore making it impossible for the City or the public to legally access said public streets.

The public street network for the Kyle Canyon Gateway development is being addressed through the Development Agreement and Design Guidelines. Until those documents are finalized, the Department of Public Works will not know what the public street layout will be, particularly with the final disposition of the Mountain's Edge Parkway still unresolved. Before the City will accept any dedication of public right-of-way, a more comprehensive plan, showing the proposed right-of-way adjacent to this site, and connecting this site to existing public street right-of-way must be submitted for approval by the Departments of Public Works and Planning and Development. Further, all such rights-of-way identified in this plan needed to connect this site to existing public streets must be dedicated to the City (or appropriate private easements granted) prior to any permits being issued for the substation site. It appears that the road shown on the eastern perimeter of this site has no public purpose and may not be accepted with the approved comprehensive access plan that will be required through Conditions of Approval.

A4) Landscape and Open Space Standards

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1Trees/6 Spaces	0 Trees	0 (no parking area proposed)
Buffer:			
• Min. Trees (south)	347 Feet (1/20 Feet)	18 Trees	18 Trees
• Min. Trees (west)	337 Feet (1/20 Feet)	17 Trees	18 Trees
• Min. Trees (north)	347 Feet (1/30 Feet)	12 Trees	30 Trees
• Min. Trees (east)	337 Feet (1/30 Feet)	12 Trees	22 Trees
• TOTAL		59 Trees	88 Trees
• Min. Zone Width (internal)	8 Feet		8 Feet
• Min. Zone Width (perimeter)	15 Feet		15 Feet
• Wall height	8 Feet		14 Feet

The proposal exceeds minimum standards for the amount of plant material and width of landscape planters, with the exception of the maximum wall height. This is addressed through the waiver request that is part of this Site Development Plan Review and which is discussed below.

B) General Analysis and Discussion

- Zoning

An Electric Utility Substation requires a Special Use Permit in the U (Undeveloped) zoning district. This request has been submitted concurrently as Special Use Permit SUP-13536. The location of the substation has already been approved by the Planning Commission and City Council via GPA-12339 as part of Map 11 in the Centennial Hills Sector Plan.

- Site Plan

The submitted site plan shows access to the site from two as yet unnamed public streets, one oriented east-west and shown as a 50-foot right-of-way with an associated 20-foot trail path and amenity zone, and the other, which is depicted as a 41-foot wide cul-de-sac, oriented north-south, and with an 18-foot amenity zone and trail path. The development site is shown at the southwest corner of this intersection. Two access gates will provide access to the site from the north-south street, which appears to only service the subject site. The city's Department of Public Works has objections to the identification of these proposed streets as public streets, where no connection is identified with the city's overall street network. The Department's full comments on this matter are listed in A.3 above in this report.

- Waivers

As part of this Site Development Plan Review, the applicant has requested a waiver from the maximum wall height requirements contained in Title 19.08.050(D)(3). The applicant, Nevada Power, will utilize low-profile equipment in accordance with its own visual impact standards; however due to National Electrical Code Standards, some taller equipment is required. The dead-end structures will be 22 feet in height. The waiver for a 14-foot wall, where eight feet is the maximum height allowed, is requested to help better screen the equipment and discourage the public from climbing into the substation. The wall will be constructed with decorative block and will be harmonious with future residential development which is expected to surround the site in the future as part of the Kyle Canyon development. Given the site's location within the interior of an as yet to be designed future development area, the waiver request can be granted without detrimental impact to the nearest existing residence, which is over 1,700 feet away from the subject site.

- Landscape Plan

The landscaping depicted on the site plan depicts 24” box Mondel Pines along the south and west boundaries of the site. A mix of 24” box Mondel Pines and Raywood Ash trees are shown along the north and east edges of the site, where the landscaping is integrated with a meandering sidewalk. Shrubs, including five-gallon Rio Bravo and Red Yucca, will be planted along with a four-inch to six-inch rock mulch or a two-inch layer of ¾” rock mulch. The design includes perimeter planters surrounding the site that will help to reduce the visual impact of the block wall. The applicant will be responsible to ensure that adequate permanent water supply is provided to the site to support the landscaping as provided.

- Elevation

Only perimeter wall elevations were submitted, as buildings are not proposed as part of this application. The wall elevations depict split face CMU blocks with 16” plain pilasters at intervals along the wall. In accordance with Title 19 requirements, the proposed wall should consist of at least 20% contrasting materials. A condition of approval will address this issue.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed development is compatible with the expected Kyle Canyon community that will surround the site. The proposal is also appropriate given it’s location regarding existing urban development in the area. The nearest existing residence is approximately 1,700 feet away from the subject site. The location of the proposed Electric Substation is also in conformance with Map 11 of the Centennial Hills Sector Plan.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposal is consistent with the location for Electric Utility Substations called for by the Centennial Hills Sector Plan. The development has requested a waiver from wall height standards of Title 19. Given the location of the subject site and the requirements of the National Electric Code for taller equipment, the waiver request is acceptable.

3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”

Site access is adequate and adjacent roadways will not be impacted as the facility will only be accessed as necessary by Nevada Power personnel. Details concerning the adjacent unnamed public streets are yet to be determined, and Public Works has indicated a concern with the identification of these streets prior to the overall roadway plan for the area. Conditions of approval are intended to address the concerns voiced by Public Works.

4. “Building and landscape materials are appropriate for the areas and for the City;”

Landscape materials are appropriate for the area and the proposed wall will meet Title 19 standards, subject to a condition requiring 20% contrasting materials in the wall design.

5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”

Technical requirements for electric equipment have been evaluated with aesthetics in mind to design a site that will minimize the impacts of the equipment to make it more compatible with the area.

6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

Condition #16 was changed by the Planning Commission as shown. The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

1

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 108 by Planning Department

APPROVALS 0

PROTESTS 0